

#### REMARKS/ARGUMENTS

The above-identified patent application has been reviewed in light of the Examiner's Action dated August 22, 2007. Claims 1, 11, 17, 19, 22 and 24 have been amended, without intending to abandon or to dedicate to the public any patentable subject matter. No claims have been canceled. Accordingly, Claims 1-29 are now pending. As set forth herein, reconsideration and withdrawal of the rejections of the claims are respectfully requested.

The Abstract of the disclosure stands objected to because the phrase "are provided" is found to be improper language. In the amendments set forth above, an amended Abstract is provided to address this objection. In view of the amendment, it is submitted that the objection to the Abstract should be reconsidered and withdrawn.

Claim 19 stands objected to due to an informality caused by a typographical error. In the amendments set forth above, this error has been corrected. Accordingly, the objection to Claim 19 should be reconsidered and withdrawn.

Claims 1-3 and 5-29 stand rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 6,453,349 to Kano et al. ("Kano"). In addition, Claim 4 stands rejected under 35 U.S.C. §103 as being unpatentable over Kano in view of U.S. Patent Application Publication No. 2006/0114889 to Schneider et al. ("Schneider"). In order for a rejection under 35 U.S.C. §102 to be proper, each and every element as set forth in a claim must be found, either expressly or inherently described, in a single prior art reference. (MPEP §2131.) In order to establish a *prima facie* case of obviousness under §103, there must be some suggestion or motivation to modify the reference or to combine the reference teachings, there must be a reasonable expectation of success, and the prior art reference or references must teach or suggest all the claim limitations. (MPEP §2134.) However, all of the claim elements cannot be found in the cited references, whether those references are considered alone or in combination. Accordingly, reconsideration and withdrawal of the rejections of the claims as anticipated by or obvious in view of the cited references are respectfully requested.

The claimed invention is generally directed to establishing a communication channel using protected network resources. More particularly, the claimed invention allows a request for the reservation of network resources and for the establishment of a connection between end points on the network to be initiated using a single data packet that contains both the request to reserve network resources and the request to establish a connection. As an example, and without adding limitations to the claims, the request for network resources may be made in accordance with the resource reservation protocol (RSVP), and the establishment of a connection may be made according to the procedures of the transmission control protocol (TCP) or the session initiation protocol (SIP). In addition, embodiments of the claimed invention allow subsequent messages, for example confirming the reservation of resources and the establishment of a connection, to be sent from an end point that received the first combined data packet to the end point that sent the first combined data packet. Such confirmation is sent in a second data packet that comprises both the confirmation of the requested reservation of resources and confirmation of the requested connection. Accordingly, embodiments of the present invention can provide efficiencies as compared to conventional methods for establishing connections between endpoints using reserved network resources.

The Kano reference is generally directed to an apparatus for a method for resource reservation in a network system. As part of the method, terminals and nodes in the network perform a requested resource reservation by passing messages with parameters including a packet identifier that specifies a packet that is an object of the reservation and the requested resources. Accordingly, Kano provides a conventional method for reserving resources on a network, except that Kano discusses an arrangement by which the receiving terminal reserves network resources, rather than the typical arrangement in which a sending terminal reserves resources on a network. (Kano, col. 3, ll. 10-13.) Because it is the receiving terminal that makes the reservation request in Kano, it is inherent to the Kano system that a connection already be in place or at least be requested when the reservation request is made. In this context, it can be understood that the description contained in Kano at col. 10, lines 1-11, is directed to a receiving terminal that is

setting up a reservation of resources for a data packet that the receiving terminal is expecting as a result of receiving a connection request prior to the request for a reservation of resources by the receiving terminal. Moreover, the request to reserve resources made by the receiving terminal cannot contain a connection request, since there is no disclosure in Kano of any device other than the sending terminal initiating a communication. Accordingly, Kano discusses a system in which a reservation of resources is requested by a receiving terminal, rather than a sending terminal. (Kano, col. 20, l. 66 - col. 21, l. 22.) Kano does not teach, suggest or describe incorporating information comprising a connection request in a data packet that is otherwise used to establish the reservation of network resources. Therefore, Kano does not provide each and every element of the claims, and therefore the rejections of Claims 1-3 and 5-29 as being anticipated by Kano should be reconsidered and withdrawn.


Claim 4, which is rejected as being obvious over Kano in view of Schneider, recites that the objects included in the data packets that also comprise network reservation messages comprise session initiation protocol messages. As explained above, the Kano reference does not teach, suggest or describe incorporating a connection request in a data packet that otherwise relates to establishing a resource reservation. The Schneider reference has been cited for discussing the use of session initiation protocol messages. Schneider does discuss a connection setup request in accordance with the session initiation protocol. However, there is no teaching, suggestion or description in Schneider of sending a data packet for reserving network resources that also includes a connection request made using the session initiation protocol. Moreover, as already discussed, Kano also does not teach, suggest or describe combining in a single data packet a connection request with a request to reserve network resources. Accordingly, Kano is merely an example of the separate establishment of a reservation of network resources by a receiving terminal and Schneider is merely an example of the establishment of a connection request using a conventional protocol. One of ordinary skill in the art, when presented with these references, would not arrive at the claimed invention. Accordingly, the rejection of Claim 4 as obvious should be reconsidered and withdrawn.

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*Reply to 8/22/07 Office Action*

The application now appearing to be in form for allowance, early notification of same is respectfully requested. The Examiner is invited to contact the undersigned by telephone if doing so would be of assistance.

Respectfully submitted,

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